

REMARKS / ARGUMENTS

This is in response to the Office Action of December 2, 2004, in which the Examiner has rejected all claims with the exception of claim 4. Applicants have herewith cancelled claim 4 and amended independent claims 1 and 10 so as to incorporate the subject matter of claim 4 therein. Applicants submit the following comments relative to said amendments, and to the rejection as applied by the Examiner. It is not believed that any further fees are due as a result of the present amendment, but if any such fees are due, please charge them to Deposit Account 10-0849.

The Examiner has rejected claims 1-3 and 5-9 under 35 USC 103(a) as unpatentable over Crisanti et al. (6,221,823). Claim 4 is indicated as being allowable. It is to be noted that this application as filed constituted 13 claims rather than the 9 claims acted upon by the Examiner, as indicated in the Filing Receipt mailed June 25, 2004. It is believed that this error was a matter of oversight by the Examiner, and that claims 10-13 would have been subject to the same rejection as applied to the remaining claims. Accordingly, Applicants have amended claim 10 in the same manner as they have amended claim 1, so as to overcome the rejection of claims 1-9.

While not in full agreement with the position of the Examiner with respect to the Crisanti et al. reference, Applicants have herewith amended independent claims 1 and 10 so as to include the limitations of allowed claim 4. It is believed that this amendment places all pending claims in condition for allowance. Reconsideration by the Examiner, and an early Notice of Allowance are requested.

Respectfully submitted,

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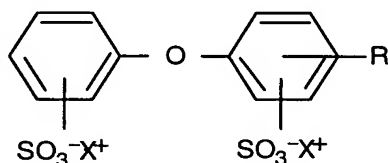
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APPENDIX

Version of Amendment with Markings to Show Changes Made

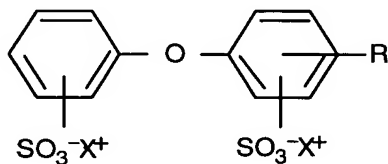
In accordance with 37 CFR 1.121(c)(1)(iii), the following constitutes a marked-up version of the Claims amended in the present AMENDMENT, indicating the changes made in the Claims 1, and 10. In addition, claim 4 is cancelled, and claims 2-3, 5-9, and 11-13 are unchanged.

1. (currently amended). An aerosol spray, comprising:
at least 50% water by weight;
at least .01% diphenyloxide disulfonate hydrotrope by weight, wherein the hydrotrope is selected from the group consisting of compounds of the following formula:



wherein R of the hydrotrope has less than seven carbons and is alkyl or alkene, and X of the hydrotrope is an alkali metal;

at least .01% diphenyloxide disulfonate surfactant by weight, wherein the surfactant is selected from the group consisting of compounds of the following formula:



wherein R of the surfactant has less than eight carbons and is alkyl or alkene, and X of the surfactant is an alkali metal; and

at least 1% propellant by weight, and
further comprising a polyoxypropylene, polyoxyethylene block polymer surfactant and an alkyl sarcosinate surfactant.

10. (currently amended). An aerosol spray, comprising:
- at least 50% water by weight;
 - at least .01% ethoxylated acetylenic glycol surfactant by weight;
 - a polyoxypropylene, polyoxyethylene block polymer surfactant and an alkyl
sarcosinate surfactant and
 - at least 1% propellant by weight.